App. F. IX-4

Previous References

1939. (Legis)

File No. 12-39

Serial Nos. 1

Later References.

(42)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. One only

A

Part ~~B~~ for July 39

SUBJECT.

Amendment of the Mysore City Municipalities Act, 1933.

Amendment to Sec. 178 (2) of the city Municipalities Act 1933

1

General and Revenue Secretariat | Ml File No. 70 of 1938. | [App. F. III—2

Serial No.

59 From

The Ml. Commr. Bangalore city

No. C2-C1254 dt. 24.12.38

--- Requests sanction to the Resolution of the Ml. Cl. approving the amendment to ~~the~~ Sec. 178 (2) of the city Municipalities Act, 1933 for considering the Health Officer as a medical officer under Sec. 178 (1) of the said act.

1 Submd ~~the~~ Sec. 178 of the City Municipalities Act contemplates criminal proceedings to be taken up by the Ml. Cl. to abate the overcrowding of the interiors of buildings, and the magistrate before whom a case is launched has to act on a certificate issued by a medical officer and also after further enquiry if necessary. The practice that was adopted till now in such cases is not known

2 The orders The term used in Sec 178(1) of the C.M. Act 1933 is "medical officer" It is doubtful if the resolution of the Ml Cl could be accepted, without amending the Section itself whether the term "medical officer" could be interpreted to mean Health Officer also Further, in all such cases where overcrowding is proved it is the Health Officer or his Assistant who acts as the

Ml 5.1.39

V

3269

File No. 70 of 193 8-39 General and Revenue Secretariat

prosecution on behalf of the Municipality. In this view also, it would be desirable for the Municipality to get the opinion of an independent authority like the District Medical Officer in regard to all cases of this kind.

3) The Health Officer is invariably a medical man, and it may not be correct interpretation to term the Medical Officer as Health Officer, and the section may perhaps be considered

Legal 6-1-39

2/6/1-

4) What is the meaning of the Bombay & Madras Municipalities Act?

6/7/1 2/6/1-

Serial No.

6) The resolution is not very clear
Do they propose the amendment of the Section
or do they want to treat the Health Officer
as a medical officer as a ~~m~~ medical man,
What is the exact wording of the Subject
& the resolution thereon this may be
ascertained unofficially
G
12/1/39

Subs ~~to note ascertained~~ 7) As the exact
significance and import of the resolution of the
City Municipality could not be ascertained
clearly over the 'phone today I wrote letter
to the Ml. Commr embodying the enquiry is
put up for approval
8) Inv
2
16/1/39

Hes
16.1.39

63 Issued no. L. 59 28 dt 24.1.39.

69 From the Ml Commnr Madras, his Proc
No C2.C 2009 dt 3-2-39.
States that the Council do not intend
that the entire section be amended,
but that they only want that the section
may be amended by adding a clause
to the effect that the Health Officer of the

3269 / 4002
1

ml File No. 70 of 1938

General and Revenue Secretariat

municipality be considered as Medical Officer for purposes of that section

Subd with reference to para 6 supra

Sgd/ Jha

Sd/ Jha

Sd/ Hiry L. J. S.)

(6) The Health officer is a "medical officer" / In a
and as the section now stands there does not
appear any objection to his furnishing the
certificate contemplated in sec 178(2).
Amendment of the law can be taken up only
after a court holds that the Health
officer, under the law, is incompetent to
grant the certificate

Serial No.

14) Sd with a draft ~~letter~~ for appl.

15) 2/24/4-

80 To the ml Commn Proceedings No PD No L 6847 Dy 27-2-39:

States that the question involves an amendment of the section and that action will be taken in due course

16) In connection with the judgment of the High Court about the levy of octroi on motors in the Mysore city Mlty, it has been proposed to amend Sec 90 of the city Mities Act by 39

17) The amendment in this case will also be taken up along with that

2/17/3/-

Ans 17.3.39

b Amendment to the City Municipalities Act, 1933

460/2

Me File No. of 1938.

General and Revenue Secretariat

1) I would suggest that Sec 178(2) be amended by adding the words "or health" between "medical" and officer. It is unnecessary to add an explanation. In the C & M Sts Municipal by-laws the words used are "the Municipal officer or the health officer"

2) In this connection Sec 156(2) of the Town Municipalities Act may also be amended if considered necessary.

Sec'l S.G.

28/3/38

ADKR 28.3

3) Necessary corrections are made in the enclosure Principle and Memorandum

30/3

Typed drafts received 31.3.38

KL 2.4

4) This was disposed of by circular approved

Received in the Office of the Second Member for Local Self Government 31 MAR 1938 No. 9295 Mysore

4008
L

7

For Disposal by Circulation. No. C. 411

1938-39

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject

Bill to amend the Mysore City Municipalities Act, 1933.

Circulated to the Members of Council.

By Order,

Chief Secretary to Government.

5th April 1939.

8116
6.4.39.

First Member of Council.

7/4/39

Second Member of Council.

Amendment of the Mysore city Mfg

4008 2 8

General and Revenue Secretariat | File No. | of 193 | [App. F. III—2

DEWAN'S OFFICE
20 APR. 1939
No. 7944

Serial No.

D.S.R. Shermatad

Dewan)

18439
2
Mul.

Submitted to His Highness.

I submit herewith a Final Note by the Second *Member of Council on the subject of* the Bill to amend the Mysore City Municipalities Act, 1933

.....

for His Highness' gracious approval.

Mirza M. Ismail

Dewan.

20-4-39

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Bill to amend the Mysore City Municipalities Act, 1933.

General and Revenue
Secretariat.

SUBJECT:—

Bill to amend the Mysore City Municipalities Act, 1933

(*)

31. All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before/~~after~~ issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Government.

Through the Secretary to Government,

L. S. G. Department.

28/4

8459
28.4.39

FIRST MEMBER OF COUNCIL.

28/4/39

A 381
28.4.39

SECOND MEMBER OF COUNCIL

28-4

L. S. G. Secretary with compliments.

29/4

29/4

LOCAL SELF GOVT
28 APR 39
COMMR

NOTE.—Contn. sheet

WD 01152—GPB—750—21-12-38

amendment of the city rules Act 4.

6744/P 4650

D.1668/RA

General and Revenue Secretariat | File No. | of 193 | [App. F. III–2

Serial No.

This will be sent to the Bombay branch Legislative Section - for pre action (Protection branch) 2/11/7

for 29.4.'39 4/1.5

Copies of The Statement of financial Principles which, if approved be sent to the RA for further action. (the figure 1933 being added after the word Act in line 2

A revised draft of the Bill is submitted.

One 1.5.39. for approval of the amended draft bill

seen 2-5-5 4/1.5

for 2/5

may be sent to A.

14

6744

II

Mysore City Municipalities (amendment) Bill

File No. [illegible] of 193

General and Revenue Secretariat.

Serial No.

The Statement of general Principles will, if approved, be adopted as the Statement of Objects and reasons

Done 15.5.39 — Sec 3 d.5.5

kg 15-5

[illegible] 15/5

The bill may be published under rule 8 of the L.C Rules & Business

2nd member & DE Wan

DE/5 kg 15-5

DEWAN'S OFFICE 19 MAY 1939 No. 8536

A 1015 16.5.39

MS 19-5-39

[illegible] 19/5

kg 15.5

To L.C Office with three Copies of Bill and Statement of Objects and reasons

Done 22.5.39

3 Copies taken & file returned.

BVN 23/5/39 Protem Sec

[illegible] 23.5.39

Submitted for orders whether the file may now be sent back to the L.S.G. Br

Done 24-5. The undersecretary has ordered that this may be done

6744

15

Mysore City Municipalities (amendment) Bill.

General and Revenue Secretariat | File No. | of 193 | [App. F. III—2

Serial No.

The Bill was published, under Rule 8 of the Rules of Business in the Gazette of the 25th May 1939.

The general Principles of the Bill were placed before the R.A. at its recent Session and after some discussion was were accepted by that body.

This is a very ~~simple~~ small Bill and the following motions are put up for inclusion in the Agenda of the ensuing session of the ~~R.A.~~ L.C

1. Motion that the Bill, published under Rule 8 of the Rules of Business, be read in Council

Mover — 2nd member

Seconder — Law Secretary.

2. Motion that the Rules of Business and Standing Orders be suspended and the Bill taken into Consideration at once without reference to a Select Committee.

Mover — 2nd Member

Seconder — Law Secretary.

3. Motion that the Bill be passed

Mover 2nd Member

Seconder Law Secretary.

16

Mysore City Municipalities (amendment) Bill.

File No. of 193 — General and Revenue Secretariat

The Bill was introduced in the Legislative Council on the 21st June 1939 and passed at one sitting, the Rules of Business and Standing orders being suspended

A.D.C. is put up for order

28.6.39

Law Secy

2nd Member)

30.6

30.6

Signed Final note placed below.

3.7.39.

S. N. Subramanya

Dew

3/7/39

13/31

DEWAN'S OFFIC... 1939 No. 86

OFFICE OF THE SECRETARY OF COUNCIL ... JUNE 1939 A. 2752

Final Note by the Second Member of Council.

Subject.— Promulgation into law of the Mysore City Municipalities (Amendment) Bill.

The gracious sanction of His Highness was accorded on the 24th of April 1939 to place the general principles of the Mysore City Municipalities (Amendment) Bill before the Representative Assembly and to introduce the Bill thereafter in the Legislative Council. The general principles of the Bill were accepted by the Representative Assembly at its recent session. The Bill was introduced in the Legislative Council at its recent session and passed, the Rules of Business and Standing Orders having been suspended for that purpose.

I solicit the gracious sanction of His Highness to promulgate the Bill into law.

SECOND MEMBER OF COUNCIL.

Bangalore,
1st July 1939.

Submitted to His Highness.

I submit herewith a Final Note by the Second *Member of Council on the subject of* promulgation into law of the Mysore City Municipalities (Amendment) Bill *for His Highness' gracious approval.*

Mirza M. Ismail
Dewan.
3-7-39

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Promulgation into law of the Mysore City Municipalities (Amendment) Bill.

General and Revenue
Secretariat.

SUBJECT:—
Promulgation into Law of the Mysore City Municipalities (Amendment) Bill

(*)

31. All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Government.

Through the Secretary to Government,
Law Department.

302
10.7.39

FIRST MEMBER OF COUNCIL.

10/7/39

385
11.7.39

SECOND MEMBER OF COUNCIL.

13.7

13.7.39

4
14/7

NOTE.—Cor[illegible] sheet

WD 0579—GPB—375—20-12-38

Mysore City Municipalities (Amendment) Act, 1939

4008 - 21

General and Revenue Secretariat. | Legi: File No. 12 of 19 9. | [App. F. III-2

Serial No.

The previous assent of His Highness was accorded on 6.7.39 to promulgate the Bill into law.

A draft G.O. directing publication of the Act as Act XXI of 1939 is put up

Law Secretary). 3/7

Done 14.7.39

6/7

3/7

Issued G.O. no P449 - Legi 12-39-1 dated 24.7.39

The Act has been Published in the Gazette (Pt IV) of 3rd August 1939.

The file will be sent to the L.S.G. for the note and return

Done 4.8.39

Law Secy (E. B.)

Submitted for perusal

2/4/8

4.8.39

Protection Branch

BANGALORE CITY MUNICIPALITY.

Rel-70-38-59.

MUNICIPAL OFFICES,

No. C2-C/154 Encl 01 — Bangalore, 23-12-1938.

From

S. NARAYANA RA ESQ., M.A. (HONS.),
MUNICIPAL COMMISSIONER,
Bangalore City.

To
P.H.Krishna Rao, Esq., M.A.,
The Secretary to the Government of
His Highness the Maharaja of Mysore,
Local Self-Government Department,
Bangalore.

Sir,

I have the honour to state that in connection with the enforcement of Section 178(1) of the City Municipalities act of 1933, a certificate has to be furnished before the Magistrate by a medical Officer as required under clause 2 of the same section. For purposes of taking necessary action in respect of the cases coming under this section the Municipal Council at their meeting held on 10-12-38 have approved of an amendment to section 178(2) of the said act for considering the Health Officer as a medical Officer.

A copy of the resolution of the Municipal Council is enclosed herewith for reference.

I request that sanction of Government may be kindly obtained to the resolution of the Council.

I have the honour to be,

Sir,

Your most obedient servant,

S. Narayana Rao

Municipal Commissioner.

Forwarded with compliments.

D. Basavaiah 20/12

Honorary President.

PSK.

Proceedings of the adjourned Ordinary General Meeting of the City Municipal Council, Bangalore, held on Saturday the 10th December 1938 at 3 P.M. in the Council Chamber of the City Municipal Offices, Bangalore.

Present.

N. Balakrishnaiya, Esq., B.A..LL.B.,
Honorary Presiden

1. Mr. R. Venkataswamy.
2. " W.H. Hanumanthappa
3. " Ramalal Thiwari
4. " K.M. Naganna
5. " I.K. Purushothama Naidu
6. " D. Venkataramanappa
7. " B.L. Byanna
8. " M. Muniswamy.
9. Mr. C.N. Narasinga Rao, B.A.B.L
10. " K. Shamaraja Iyengar, B.A.,
11. " C.M. Garudachar, B.A.,
12. " P.M. Rama Sarma
13. " M. Krishnaswamy Pillai
14. " S.K. Venkatarangiengar, B.
15. "Dr. M. Royan, M.D.,
16. " M.R. Narasimhiengar
17. Sri R. Kalyanamma.

—

Absent.

1. Mr. Bolur Srinivasiengar, B.A.B.L.
2. " K.T.Bhashyamiengar, B.A., B.L
3. " Vaidyaraj Rameswara Sa
4. " S.N.M. Razvi
5. " B.S. Shankarappa Setty
6. " K. Gubbiah, B.A., LL.B.
7. Mr. P. Subbarama Chetty
8. " S.L. Mannaji Rao
9. " O.S. Nasarulla Sheriff,
10. " B.Abdur Rahmon, (M.A.LL.B.
11. " Mirza Azizulla Beig
12. " Chikkayellappa.

Additional Subject. No. 16.

Regarding the amendment of Section 178(2) of the City Municipalities Act, for consideráng the Health Officer to be a Medical Officer.

Resolution:-

A p p r o v e d.

Sd. N.Balakrishnaiya.
Honorary President.

C o p y.

Municipal Commissioner. 23/12

PSK

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE 3

General and Revenue Secretariat

Dated, Bangalore, 24th January 1939.

No. L5928/mlg0-38-63.

From

The Secretary to the Government of His Highness the Maharaja of Mysore,
Local Self-Government Department

To

The Municipal Commissioner,
Bangalore City.

Sir,

With reference to your letter No. C2-C 1254 dated the 23rd/24th December 1938 requesting sanction of Government to the resolution of the Council for considering the Health Officer to be a Medical Officer under Section 178 (1) of the City Municipalities Act 1933, I am directed to observe that, the resolution of the Municipal Council on the subject is not very clear and to request you to state whether the Municipal Council propose the amendment of the section or whether they want to treat the Health Officer of the Municipality as a Medical Officer and what the exact wording of the subject and the resolution thereon are.

I have the honor to be,
S i r ,
Your most obedient servant,

Mir Nasar Imam

for Secretary to Government,
Local Self-Government Department.

lcs

Appendix F G—1]

SUBJECT Amendment of Section 178 (2) of the City Municipalities Act.

Section Ml.
File No. 70-38.
Serial No. 63.

Diary No. of letter replied to .....

No. L5928

To The Municipal Commissioner,
Bangalore city.

General and Revenue Secretariat

( )

the *193*

Sir.

Date of issue 24-1-39

With reference to your letter No. C2-C 1254 dated the 23-12-1938 ~~on the subject noted above~~ requesting sanction of Government to the resolution of the Council for Considering the Health Officer to be a Medical officer." I am directed to observe that, ~~as~~ the resolution is not very clear and to request you kindly to state whether the Municipality proposes the amendment of the section or whether they want

Signed by .....

List of enclosures.....

Copied by .....

Examined by.....

to treat the Health officer of the Mfty as a Medical officer ~~as also~~ and when the exact wording of the subject and the resolution thereon are

~~This may be treated as very urgent~~

I have etc.,

2
16/11/-

Dr Secy to Govt
for D.S.G. Hepa

4008 2 6

BANGALORE CITY MUNICIPALITY.

Mul.70.38-69.

MUNICIPAL OFFICES,

No. C2-C 2009 / 3-2-39

SECY. LOCAL SELF GOVT. 3. FEB. 1939 GOVT. OF MYSORE.

Bangalore, 2-2- 1939.

From

S. NARAYANA RAO, ESQ., M.A. (HONS.),
MUNICIPAL COMMISSIONER,
Bangalore City.

P.H.Krishna Rao, Esq., M.A.,
~~The~~ Secretary to the Government of
His Highness the Maharaja of Mysore,
Local Self-Government Department,
Bangalore.

SIR,

With reference to your letter No. L. 5928/Ml.70-38-63 dated 24-1-39, enquiring whether the Municipal Council propose the amendment of Section 178(2) of the City Municipality Act of 1933, in the matter of considering the Health Officer to be a Medical Officer, I have the honour to state that the Council do not intend that the entire section of the regulation be amended but that they only want that the section may be amended by adding a clause to the effect that the Health Officer of this Municipality be considered as Medical Officer for purposes of this Section.

I have the honour to be,
Sir,
Your most obedient servant,
S. Narayana Rao
MUNICIPAL COMMISSIONER.

Forwarded with compliments.
K. Basavaiah 2/2
Honorary President.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore. 28th February 1939.

No. L 6847/mul 70-38-38

Fror

The Secretary to the Government of His Highness the Maharaja of Mysore,
Local Self-Government Department.

To

The Municipal Commissioner, Bangalore City.
(Through the President, Municipal Council).

Sir,

With reference to the correspondence ending with your letter No.C.2.C.2009 dated 3rd February 1939 regarding the amendment of Section 178(2) of the City Municipalities Act 1933, by adding a clause to the effect that the "Health Officer" of the Municipality be considered as "Medical Officer" for the purpose of the said section, I am directed to state that the question involves an amendment of the section and that action will accordingly be taken in due course.

I have the honour to be,
Sir,
Your most obedient servant,

T.D.

for Secretary to Government,
Local Self Government Department.

Aga/2.

Appendix F G–

SUBJECT .....

.....

.....

Section ml
File No. 70-38
Serial No. 80

Diary No. of letter replied to.....

No. L6847

To
The ml Commr. Rcifs, Kurd Dist

General and Revenue Secretariat

( )

the *193*

Date of issue..... 27-2-89

Signed by ..... mr m.s.h

Sir,

with reference to the Correspondence ending with your letter no C2.C2009 dt 3.2.89, re the amendment of section 178 (2) of the cif mlhes Act 1933, by adding a clause to the effect that the "Health officer" of the mcp be considered as "medical officer" for the purposes of the said section, I am directed to state that the question involves an amendment of the section & that action will be taken in due course. these entries

Thanks etc

List of enclosures.....

Copied by .....

Examined by.....

2/4/89.
for Secy to Govt
Revenue Deptt

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORI

O R D E R NO.

Dated, Bangalore 17th July 1939.

Read :—

Ordered that the accompanying Act further to amend the Mysore City Municipalities Act, 1933 which received the assent of His Highness the Maharaja, on the sixth day of July 1939 be published as Act No. XX1 of 1939, in the Mysore Gazette for general information.

for Secretary to Government,
Law Department.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette in English and Kannada and for supply of spare copies as per standing orders.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

ORDER NO. Y449 au
Elec

Read :— xxxxx

Dated, Bangalore 17th July 1939.

Ordered that the accompanying Act further to amend the Mysore City Municipalities Act, 1933 which received the assent of His Highness the Maharaja, on the sixth day of July 1939 be published as Act No. XX1 of 1939, in the Mysore Gazette for general information.

Section. Legis
File No. 12 – 39
Serial No. 1

Proceedings of the Government of
H. H. the Maharaja of Mysore.

Order No. P 449 / Legis

Ordered that the accompanying.....
Act further to amend the Bangalore City Municipalities Act 1933
.....
which received the assent of His Highness the Maharaja, on the Sixth day of July 1939 be published as ~~Regulation~~ Act No. XXI of 1939 in the *Mysore Gazette* for general information.

NOTIFICATION.

No. P. 449—*Legis* 12-39-1, *dated Bangalore, the 24th July* 1939.

Orderd that the accompanying Act further to amend the Mysore City Municipalities Act, 1933 which received the assent of His Highness the Maharaja, on the sixth day of July 1939 be published as Act No. XXI of 1939, in the *Mysore Gazette*, for general information.

By Order,
C. SUBRAHMANYA AIYAR,
Secretary to Government,
Law Department.

ACT No. XXI OF 1939.

An Act further to amend the Mysore City Municipalities Act, 1933.

[*Received the assent, His Highness the Maharaja on the sixth day of July* 1939.]

Whereas it is expendient further to amend the Mysore City Municipalities Act, 1933, It is hereby enacted as follows

Sho

1. This Act may be called the Mysore City Municipalities (Amendment) Act, 1939.

Am of S of A 193

2. In Section 178 (2) of the Mysore City Municipalities Act, 1933, the words, "or health" shall be added after the word "medical."

A C T XXI of 1939.

An Act further to amend the Mysore City Municipalities Act 1933.

(Received the assent, His Highness the Maharaja on the sixth day of July 1939).

Whereas it is expedient further to amend the Mysore City Municipalities Act, 1933, It is hereby enacted as follows:-

1. This Act may be called the Mysore City Municipalities (Amendment)Act,1939. — Short title.

2. In Section 178 (2) of the Mysore City Municipalities Act, 1933, the words, "or health" shall be added after the word "medical." — Amendment of Section 178 of Act VII of 1933.

Sd. Sir Mirza M. Ismail.

Secretary to Government,
Law Department.

A C T XXI of 1939.

An Act further to amend the Mysore City Municipalities Act 1933.

(Received the assent, His Highness the Maharaja on the sixth day of July 1939).

Whereas it is expedient further to amend the Mysore City Municipalities Act, 1933, It is hereby enacted as follows:-

1. This Act may be called the Mysore City Municipalities (Amendment)Act,1939. — Short title.

2. In Section 178 (2) of the Mysore City Municipalities Act, 1933, the words, "or health" shall be added after the word "medical." — Amendment of Section 178 of Act VII of 1933.

Sd. Sir Mirza M. Ismail.

A C T XXI of 1939.

An Act further to amend the Mysore City Municipalities Act, 1933.

(Received the assent, His Highness the Maharaja on the sixth day of July 1939).

Whereas it is expedient further to amend the Mysore City Municipalities Act, 1933, It is hereby enacted as follows:-

1. This Act may be called the Mysore City Municipalities (Amendment)Act,1939. — Short title.

2. In Section 178 (2) of the Mysore City Municipalities Act, 1933, the words, "or health" shall be added after the word "medical." — Amendment of Section 178 of Act VII of 1933.

4. ~~STATEMENT OF THE~~ GENERAL PRINCIPLES OF THE BILL FURTHER TO AMEND THE MYSORE CITY MUNICIPALITIES ACT, 1933.

THE SECRETARY TO GOVERNMENT, LOCAL SELF-GOVERNMENT DEPARTMENT (Mr. P. H. Krishna Rao) explained the general principles of the Bill as follows:--

(Here enter the printed statement)

Messrs. Mirza Azeezulla Beig, A.N. Rama Rao and B.L. Byanna opposed the Bill for the reason that the Health Officers, being subordinates of the municipal councils concerned would support the view taken by the Councils and put house-owners to needless trouble. Particularly in the cities of Bangalore and Mysore where any number of competent medical officers were available, it was not necessary to give extra powers to the Health Officers attached to the municipalities. And even granting that certificates were necessary as to whether there was over-crowding or not, it was quite easy for the municipalities to obtain independent medical opinion from doctors other than employee of the municipalities.

Mr. M. LAKSHMI NARAYANA RAO agreed with the opinions expressed by the previous speakers and added that the question as to whether there was over-crowding or not was after all a very simple matter and no technical expert was needed to pronounce an opinion. The proposed legislation would only lead to a number of uncalled for prosecutions, without at the same time throwing suitable remedy open to house owners. In this way the proposed legislation would in effect put a premia on the tendency to launch unnecessary prosecutions.

Messrs. M. SUBBAIYA and Y.V. MUNISWAMI IYER, however, thought that there was no warrant to suspect the bona fides of Health Officers and that there was no harm in passing the proposed bill.

Mr. P.H. KRISHNA RAO replied that the Health Officer's opinion would in no case be accepted as decisive. In fact, whether the opinion was furnished by a medical officer or a health officer, it would necessarily go before a competent Magistrate who might or might not accept the opinion referred to. It was possible that the Magistrate himself might inspect the spot and decide the case accord to his best light. As regards hardship to house-owners, he added that these would be given every reasonable scope for questioning the veracity of the medical opinion in question.

General principles of the Bill to amend the Mysore City Municipalities Act, 1933.

~~At present,~~ Section 178(2) of the Mysore City Municipalities Act 1933 contemplates the production of a certificate by a medical officer in regard to the overcrowding of the interior of a building before action can be taken by a Magistrate in this behalf. The Health Officers in the Bangalore and Mysore City Municipalities cannot furnish a certificate under this section as they are not designated as Medical Officers though they possess medical qualifications. It is therefore proposed to amend this sub-section by adding the words "or health" between "medical" and "officer" so that there may not be any legal difficulty for them to furnish certificates under this section.

BILL FURTHER TO AMEND THE MYSORE CITY MUNICIPALITIES ACT, 1933.

Whereas it is expedient further to amend the Mysore City Municipalities Act,1933, It is hereby enacted as follows:-

Short Title.

1. This Act may be called the Mysore City Municipalities (amendment) Act, 193-

Amendment of section 178 of Act VII of 1933.

2. In section 178 (2) of the Mysore City Municipalities Act, 1933, the words, " or Health " shall be added after the word " medical".

Bill to amend the Mysore City Municipalities Act, 1933.

Whereas it is expedient to amend the Mysore City Municipalities Act, 1933, it is hereby enacted as follows:-

Add the words 'or health' between 'medical' and 'officer' in sub-section (2) of section 178.